SLUP-17 (2014)

PLAT TO ACCOMPANY VARIANCE APPLICATION FOR

CHURCH INTL.

Z

575°26'08"E 209.58'E

W.95'18'W

4261.1 101.1351.E

7.7

575°25'45"E

NF JAMCE WATTS FRANK NORMAN WATTS D.B. 2256, PG. 238

7.7

7.7

ZONED R-20

(GLORY TABERNACLE), INC.

AREA = 5.707 ACRES(248,599 SQ. FT.)

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I HAVE THIS DATE EXAMINED THE FLOOD INSURANCE RATE MAPS, COMMUNITY PANEL NO. 13067C009MH & EFFECTIVE DATE: MARCH 4, 2013 FLOOD STATEMENT

"ME" = SPECIAL FLODO HAZARD AREAS SUBJECTO MUNDATION BY THE 1 % ANNUAL CHANCEFLODD THE MAP GRAPHICALLY DEPICTS THE SUBJECT PROPERTY TO LIE IN ZONES: "X" 8 "AE" "X" " AREAS DETERMINED TO BE OUTSIDE THE 0.2 % ANNUAL CHANCE FLOODPLAIN

JANICE FREEMAN WATTS FRANK NORMAN WATTS D.B. 4274, PG. 268

ZONED R-20

1408

M.EP.SE.015

DEED LINE

TECHNICAL DATA
TRAVERS PREDSION, 13 564
ANGE ERROR, 15 55CM/S
SURVEY ADJUSTNENT: LEAT SOUMES
EQUIPMENT: TOPON RESAIL
PRECISION: 1 555.278

NAT PRECISION: 1 555.278

GRAPHIC SCALE



T.L. 717

ZOMED R-20

FENCE POST

N70"21"10"W 105.40 R#1308.47 L=105.43"

CHORD

MACEDONIA ROAD

CHORD= S65°31'53"E 41.46 R=697.59 L=41.47"

NF CHRISTOPHER D. METCALF MICHELLE A. METCALF D.B. 1284, PG. 422

L.L. 764 LAND LOT LINE

C GORE AREA NOT DESCRIBED IN DEEDS

R=1306.73' L=170.00' (N66*09'25'W 169.88' CHORD=



2981 POWDER SPRINGS ROAD MARIETTA, GEORGIA 30064 VOICE: (770) 943-5903 WWW.CRUSSELLE.COM FAX: (770) 943-5904

REVISIONS	DESCRIPTION
	DATE

PROJ. NO. CO1890

FRE: C01880 7-10-13.DWG SCALE 1" 100 7/8/13

FIELD SURVEY DATE: PLATONTE: 7/10/13

ARTHUR BAINDZ ALIANDS 890;

2014 JUN -5 PM 3: 42

THE SUBJECT PROPERTY THAT ARE NOT SHOWN. NOTE: THIS PLAT IS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT, SOME ITEMS AFFECTING TITLE MAY NOT BE INCLUDED IN THIS SURVEY.

FILED IN OFFICE

JUBILEE CHRISTIAN

LEGEND
COMPRIADOR SET WITH A 1/7 STEEL
SET STORMER SET WITH A 1/7 STEEL
SET STORMER SET WITH A 1/7 STEEL
SET STORMER TOWN OF SET WIEL
COMPRIANTS
COMPRIANTS

LOCATED IN LAND LOT 717, 19TH DISTRICT. 2ND SECTION, COBB COUNTY, GEORGIA

INCLUDING 0.49 ACRES WITHIN THE 100 YEAR FLOODPLAIN

(D.B. 14065, PG. 535)

SHANNON SHAW D.B. 14255, PG. 6178 **20NED R-20**

APPLICANT: Jubilee Christian Church Intl. Glory and Tabernacle, Inc.	PETITION NO:	SLUP-17
PHONE#: (678) 521-8115 EMAIL: phuff@slhb-law.com	HEARING DATE (PC): _	08-05-14
REPRESENTATIVE: Parks F. Huff, Esq.	HEARING DATE (BOC):	08-19-14
PHONE#: (770) 422-7016 EMAIL: phuff@slhb-law.com	PRESENT ZONING:	R-20
TITLEHOLDER: Jubilee Christian Church Intnl. Glory and		
Tabernacle, Inc.	PROPOSED ZONING: _	Special Land
PROPERTY LOCATION: North side of Macedonia Road, east of		Use Permit
Hopkins Road	PROPOSED USE: School	, Worship Services
(3000 and 3066 Macedonia Road).	and	d Pre-K Program
ACCESS TO PROPERTY: Macedonia Road	SIZE OF TRACT:	5.7 acres
	DISTRICT:	19
PHYSICAL CHARACTERISTICS TO SITE: Existing school	LAND LOT(S):	717
building and one-story converted house	PARCEL(S):	8, 9
	TAXES: PAID X I	OUE
CONTIGUOUS ZONING/DEVELOPMENT	COMMISSION DISTRIC	T: _4

NORTH: R-20/Wooded

SOUTH: R-20/Wooded, Macedonia Baptist Church, Chancellors Ridge Subdivision

EAST: R-20/Wooded

WEST: R-20/Wooded, single-family house

OPPOSITION: NO. OPPOSED___PETITION NO:____SPOKESMAN ____

PLANNING COMMISSION RECOMMENDATION

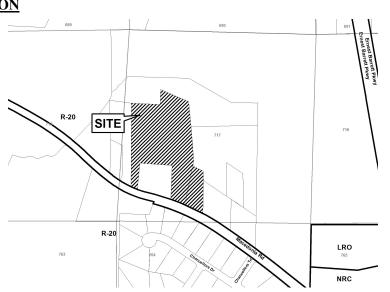
APPROVED____MOTION BY____ REJECTED___SECONDED____

HELD____CARRIED____

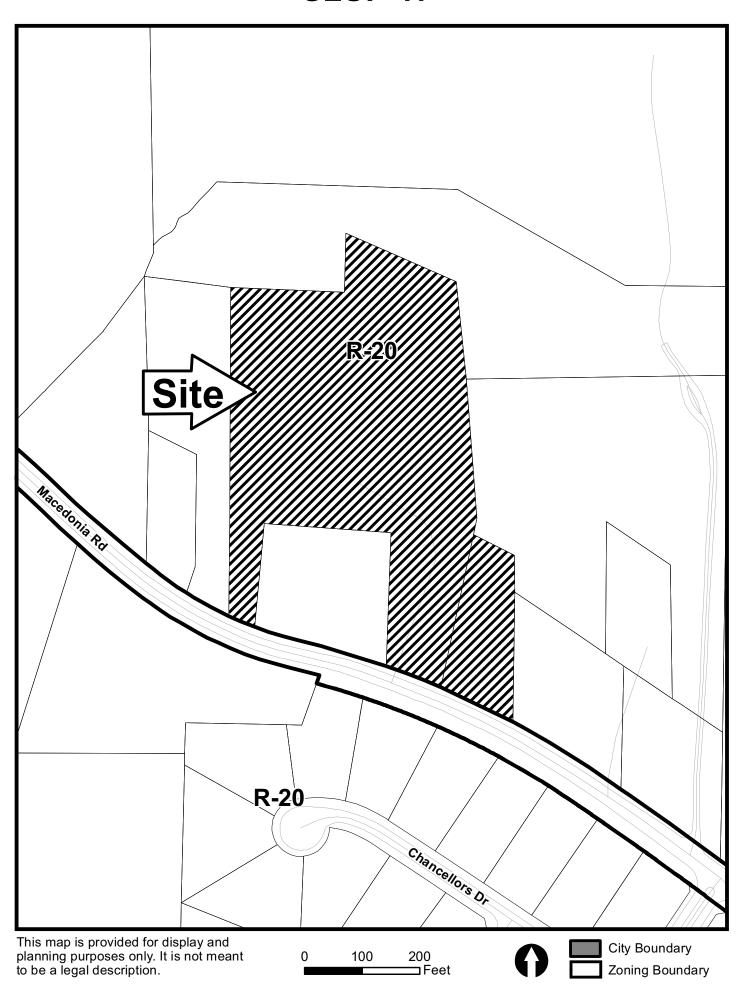
BOARD OF COMMISSIONERS DECISION

APPROVED____MOTION BY____ REJECTED___SECONDED___ HELD___CARRIED____

STIPULATIONS:



SLUP-17



APPLICANT: Jubilee Christian Church Intl. Glory and Tabernacle, Inc. PETITION NO.: SLUP-17
PRESENT ZONING: R-20 PETITION FOR: SLUP

ZONING COMMENTS: Staff Member Responsible: Jason A. Campbell
Applicant is requesting a Special Land Use Permit (SLUP) for the purpose of amending the previously approved SLUP-7 of 2009 (minutes attached). The current request will amend the previous SLUP by adding additional property and to add worship services in the converted house and to increase the number of children to 75. The school and pre-school will provide services to children from infancy to second grade. The hours of operation will be Monday through Friday during traditional work hours and the house will be used for worship services on Sundays and Wednesday evenings. The applicant proposes to keep the residential look of the existing house so it will look consistent with the nearby residences on large tracts. Applicant proposes to maintain the existing vegetative buffer or amend where needed to buffer existing residential neighbors.
The applicant is requesting the following contemporaneous variances:
 Reduce to minimum lot size for a church with a private school from the required eight acres to 5.7 total acres; and Reduce the required 50-foot setback to 17.7 feet for the existing house that will be used for worship services.
Historic Preservation: No comments.
<u>Cemetery Preservation</u> : There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission's Inventory Listing which is located in this, or adjacent land lot.

WATER & SEWER COMMENTS:
The house is currently served by a septic system. Depending on the intended usage of the house, it may have to connect to sanitary sewer and pay applicable sewer fees.

TRAFFIC COMMENTS:
Recommend access from the existing church driveway and removing the residential driveway access from Macedonia Road.
Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

Plans must be submitted to the Cobb County Fire Marshal's Office to initiate the Certificate of Occupancy process.

APPLICANT: <u>Jubilee Christian Church Intl., Inc.</u> PETITION NO.: <u>SLUP-17</u>

PRESENT ZONING: <u>R-20</u> PETITION FOR: <u>SLUP</u>

STORMWATER MANAGEMENT COMMENTS

Subject for Plan Review for any future site revisions.

STAFF RECOMMENDATIONS

SLUP-17 JUBILEE CHRISTIAN CHURCH INTL GLORY AND TABERNACLE, INC.

The applicant's proposal is located on a major road close to a major signalized intersection. The applicant's proposal is located within close proximity to another institutional use, such as Macedonia Baptist Church. The applicant's proposal is consistent with the *Cobb County Comprehensive Plan*, which delineates this property to be within a Public/Institutional, Low & Medium Density Residential Land Use Categories, which allows for churches and schools. It is Staff's opinion the applicant's proposal would not adversely affect the adjacent property based on the buffering due to the floodplain and building location. Based on the above analysis, Staff recommends APPROVAL subject to:

- Site plan received by the Zoning Division on June 5, 2014, with the District Commissioner approving minor modifications to the site plan;
- Maximum of 75 children, with the youngest being infants;
- All previous stipulations not in conflict with these stipulations (see previous minutes attached);
- Water and Sewer comments and recommendations;
- Fire department comments; and
- Department of Transportation comments and recommendations.

The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.

SLUP-17 (2014) Applicant's Statement in Support

SPECIAL LAND USE PERMIT STATEMENT FOR APPLICATION OF JUBILEE CHRISTIAN CHURCH INTERNATIONAL (GLORY TABERNACLE), INC.

COMES NOW, JUBILEE CHRISTIAN CHURCH INTERNATIONAL (GLORY TABERNACLE), INC., and, pursuant to §134-37 (e) of the Cobb County Zoning Ordinance, files this Statement and shows the following:

- 1. The school originally received a SLUP in 2007 for 4.6 acres for a school. Since that time, they have acquired a house and 1.1 acres. The request is to amend the SLUP to add the additional property and to add worship services in the converted house and to increase the maximum number of children from 50 to 75. The school and preschool will provide services to children from infancy to second grade. The additional property and uses will not have a negative effect on the neighborhood or area. The school already co-exists with the community and the acquisition of this house and 1.1 acres for an area for worship services will not negatively impact the area.
- The proposed SLUP is compatible with the neighborhood which includes the
 existing school and a church already located in front of the school. There have not
 been any complaints from neighbors regarding the existing SLUP.
- 3. The proposed use will not create a nuisance. The hours of operation will be Monday thru Friday during traditional work hours and the house will be used for Zn:E Wd S-MM 1107 worship services on Sunday.

ABBOOKLA CECHEL

.MS, LARKIN, HUFF & BALLI
SUMITED LIABILITY PARTNERSHIP
ATTORNEYS AT LAW
SUITE 100
376 POWDER SPRINGS ST.
MARIETTA, GA 30064
770, 422,7016

UP-17 (2014) Applicant's Statement

- The use will not impact the quiet enjoyment of surrounding properties. Jubilee will 4. not change the existing house so it will keep its basic residential character.
- The proposed use will complement the surrounding properties and will adversely 5. affect their values.
- Jubilee will provide adequate parking and the traffic generated will not have an 6. impact based upon the operation of the existing school and the use of the house for worship services will be at times the school is not in use.
- Jubilee proposes to keep the residential look of the existing house so it will look 7. consistent with the nearby residences on large tracts. The intensity is appropriate given the surrounding church and existing school
- The proposed use hours of operation will not negatively affect nearby residences. 8.
- The hours of operation will be restricted to typical school hours Monday thru Friday 9. and worship services on Sunday and Wednesday evening.
- The applicant will limit the hours of any deliveries, which will be minimal to 10. typical business hours with no weekend or night deliveries.
- Jubilee will maintain the existing vegetative buffed of amend where needed to 11. THE SO IN US OF THE COLUMN

HISTATO SHITTON A LIHOOD SECT

MS, LARKIN, HUFF & BALLI LIMITED LIABILITY PARTNERSHIP ATTORNEYS AT LAW SUITE 100 376 POWDER SPRINGS ST. MARIETTA. GA 30064 770.422.7016

[2]

SLUP-17 (2014) Applicant's Statement in Support

buffer existing residential neighbors.

12. Jubilee has been a valuable neighbor providing schooling alternatives for the surrounding community. There is a demand for the addition of worship space

which is being satisfied by the addition of the 1.1 acres and the house.

13. The applicant is requesting to reduce the minimum lot size for a church and a

school from eight acres to 5.7 total acres. Additionally, there is a reduction from 50

feet to 17.7 feet for the existing house that will be used for worship services.

The foregoing provides the factors to be considered in recommending approval of a

Special Land Use Permit Application. Additional Details will be submitted during the

pendency of the application.

Respectfully submitted, this the 5th day of June, 2014.

SAMS, LARKIN, HUFF & BALLI, LLP

By: ______

PARKS F. HUFF

Attorney for Applicant

Ga. Bar No. 375010

MS, LARKIN, HUFF & BALLI
LIMITED LIABILITY PARTNERSHIP
ATTORNEYS AT LAW
SUITE 100

376 POWDER SPRINGS ST. MARIETTA. GA 30064 770.422.7016 2014 JUIL -5 PM 3: 42

CORR COUNTY ZOWING DISTR

ALCONNITY GEORGEST

[3]

PAGE _ 2 OF _ 3	APPLICATION NO Previous Minutes
ORIGINAL DATE OF APPLICATION: _	05-19-09
	RISTIAN CHURCH INTERNATIONAL ORY TABERNACLE), INC.

SLUP-17 (2014)

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE COBB COUNTY BOARD OF COMMISSIONERS

BOC DECISION OF 05-19-09 ZONING HEARING:

JUBILEE CHRISTIAN CHURCH INTERNATIONAL (GLORY TABERNACLE), INC. (owner) requesting a Special Land Use Permit for the purpose of Amending Previous Stipulations in Land Lot 717 of the 19th District. Located on the north side of Macedonia Road, east of Hopkins Road.

MOTION: Motion by Olens, second by Ott, as part of the Consent Agenda, to <u>delete</u> Special Land Use Permit to a Land Use Permit, for 12 months subject to:

- site plan received by the Zoning Division dated February 6, 2008, with the District Commissioner approving minor modifications to the site plan (attached and made a part of these minutes)
- maximum of 65 children, with the youngest being infants
- all previous stipulations of SLUP-15 of 2007 not in conflict with these stipulations
- Water and Sewer Division comments and recommendations
- Cobb Marietta Water Authority comments and recommendations
- Fire Department comments and recommendations
- Cobb DOT comments and recommendations

VOTE: ADOPTED unanimously

PLAN

APPLICANT: Jubilee Christa	un Church International	PETITION NO.:	SLUP
PRESENT ZONING: R-20)	PETITION FOR:	SLUP
* * * * * * * * * * * * * * * * * * * *	* * * * * * * * * * * * * * *	* * * * * * * * * * * * *	*****
PLANNING COMMENTS:	Staff Member Responsible	: John P. Pederson, AICI)
The applicant is requesting a Sp the private school. There are two would like to amend the maximum applicant would like to amend the would like to have the lower age of two places), and to provide a would be Monday through Fridathrough fourth-grade. The privacurrent stipulations are attached	o stipulations the applicant spum number of children from the minimum age from 4 years of the convenience of the cobase for children to graduate by from approximately 7:30 at the school would follow the C	becifically wants to amend 50 to a maximum of 90 ches old to as young as an infustomer (one place to drop up through the school. The m to 6:00 pm. The private obb County Board of Education of the private of the school of the county Board of Education in the private of the county Board of Education in the private of the county Board of Education in the private of the county Board of Education in the County Board of Education i	I. First, the applicant nildren. Second, the fant. The applicant p off their kids instead ne hours of operation e school teaches Pre-K
(Parameter Processes)	mments. re is no significant impact of ion's Inventory Listing which		
* * * * * * * * * * * * * * * * * * *		* * * * * * * * * * * * * *	*****
Water and sewer available to sit	e.		
**************************************	******	* * * * * * * * * * * * * * *	*****
Recommend applicant be requir to project improvements.	red to meet all Cobb County	Development Standards a	and Ordinances related
* * * * * * * * * * * * * * * * * * * *	* * * * * * * * * * * * * * *	* * * * * * * * * * * * * * *	* * * * * * * * * *

No revisions to the existing stormwater management plan for this site are required since no site improvements are proposed.

STORMWATER MANAGEMENT COMMENTS:

APPLICANT:	Jubilee C	Christain Church	International	PETITION NO.:	SLUP-
PRESENT ZON	NING:	R-20		PETITION FOR:	SLUP
*****	*** **	*****	* * * * * * * *	******	******

FIRE COMMENTS:

Fire Apparatus Access Road

All access roads shall have an all weather driving surface capable of supporting 75,000 pounds with an unobstructed width of not less than 20 feet, 25 feet inside turning radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Access road shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor.

Aerial apparatus access shall be required for all structures over 30 feet in height measured from the lowest level of fire department access to the ceiling height of the highest occupiable floor level. Aerial fire apparatus roads shall be a minimum with of 24 feet face of curb to face of curb maximum of 40 feet from the structure and be positioned parallel to the long side of the building for its entire length. No overhead utility and power lines shall be located within the aerial apparatus access.

Dead-end access roads in excess of 150 feet shall be provided with a turn-around by one of the following methods:

Commercial: Cul-de-sac without an island to have a 60 foot paved radius **or** Hammerhead turnaround – total of 110 feet needed (45 feet + 20 foot wide roadway + 45 feet).

Gates securing fire apparatus access shall be a minimum 14 feet in clear width for a single lane and 20 feet for a double lane. Gate shall be swing or sliding type. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the Cobb County Fire Marshal's Office.

Fire Hydrant

Commercial: Fire hydrant within 500 feet of most remote part of structure.

COBB COUNTY-MARIETTA WATER AUTHORITY COMMENTS:

CCMWA requests to review the plans for this project as soon as they are available in order to determine the extent of impact upon our facilities. The owner/developer will be financially responsible for any impacts to CCMWA facilities from the project. Contact Chuck Byrge at (770) 426-8788 to coordinate plan review.

PAGE 3 OF7	APPLICATION Previous Minutes
ORIGINAL DATE OF APPLICATION:	11-20-07
APPLICANTS NAME: JUBILEE CHE	RISTIAN CHURCH INTERNATIONAL ORY TABERNACLE), INC.

I UP-17 (2014)

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE COBB COUNTY BOARD OF COMMISSIONERS

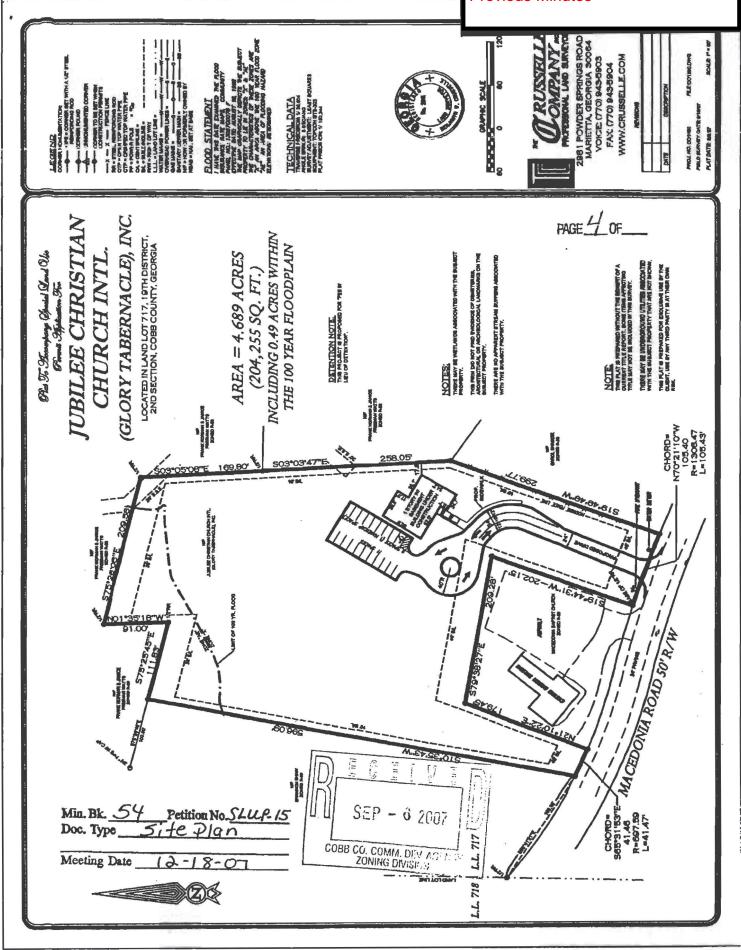
BOC DECISION OF 12-18-07 ZONING HEARING:

JUBILEE CHRISTIAN CHURCH INTERNATIONAL (GLORY TABERNACLE), INC. (owner) requesting a Special Land Use Permit for the purpose of a Private School in Land Lot 717 of the 19th District. Located on the north side of Macedonia Road, east of Hopkins Road.

MOTION: Motion by Lee, second by Thompson, as part of the Consent Agenda, to approve Special Land Use Permit subject to:

- site plan received by the Zoning Division September 6, 2007, with the District Commissioner approving minor modifications to the site plan (attached and made a part of these minutes)
- letter of agreeable conditions from Mr. Parks Huff, dated November 27, 2007 (attached and made a part of these minutes)
- Applicant to create at least a thirty foot (30') long landing at its entrance in close proximity to the grade of Macedonia Road to accommodate safe movement in and out of the site
- no day care use
- private school limited to fifty (50) children for Pre-K through 2nd grade
- Fire Department comments and recommendations
- Water and Sewer Division comments and recommendations
- Stormwater Management Division comments and recommendations
- Cobb DOT comments and recommendations

VOTE: ADOPTED unanimously



SAMS, LARKIN & HUFF

FILED IN OFFICE

ATTORNEYS AT LAW
SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

2007 NOV 27 PH 4: 40

776089 2014 COFFEE OFFICE TELEPHONE

770 · 426 · 6583

WWW.SAMSLARKINH UFF.COM

GARVIS L. SAMS, JR.
JOEL L. LARRIN
PARES F. HUFF
JAMES A. BALLI*
MELISSA P. HAISTEN

OF COUNSEL DAVID P. HARTIN

*ALSO LICENSED TO PRACTICE

November 27, 2007

PAGE 5 OF

Min. Bk. 54 Petition No. SILIP-15
Doc. Type <u>Letter of agreeable</u>

<u>Conditions</u>
Meeting Date 12-18-07

VIA HAND DELIVERY

Mr. John P. Pederson, Planner III Cobb County Zoning Department Suite 300 191 Lawrence Street Marietta, Georgia 30060-1661

Re:

Application of Jubilee Christian Church International

(Glory Tabernacle), Inc. for Special Land Use Permit (No. SLUP- 15)

Dear John:

I represent Jubilee Christian Church relating to their Special Land Use Permit Application for a private school on their property known as 3000 Macedonia Road. The Applicant owns an approximate 4.6 acre tract that wraps around the Macedonia Baptist Church. However, Jubilee Christian Church is not affiliated with or associated with the Baptist church.

Jubilee Christian has long desired to use the subject property for an outreach program. There is a partially complete building on the property which the church originally envisioned housing missionaries. Jubilee proposes to use this building to house a private school for up to approximately 50 children. Jubilee Christian recognizes a need for early and intensive education programs for children, especially underprivileged children. Jubilee also recognizes that the Cobb County School System has reduced its involvement in the state funded Early Intervention Program that was designed to give children the early intervention that they need to succeed. Therefore, Jubilee proposes to target the private school for compliance with the state funded Pre-K Program and to teach children from Pre-K through second grade. Following is a list of stipulations and conditions that my client is willing to become a part of the grant of the Special Land Use Permit.

SAMS, LARKIN & HUFF

VIA HAND DELVERY

Mr. John P. Pederson, Planner III Cobb County Zoning Department November 27, 2007 Page 2

Petition	No	SLUP-15
Meeting	Date	12-18-07
Continue	d	

PAGE GOF_

- 1) The subject property will only be used for a private school and will not be used for a church or as a day care center.
- The Applicant will comply with the Cobb County Department of Transportation recommendations, including, but not limited to, allowing Macedonia Baptist Church to use the school's proposed entrance as the entrance for the church. The present entrance for the Baptist church is not in an optimal location and the visibility would be greatly improved if their driveway was closed and their access was limited to the private school's entrance. The Applicant will work with the church and the County DOT to accommodate this request and to reach the appropriate agreements.
- 3) The Applicant will comply with the recommendations of the Stormwater Management Division and provide either onsite detention or the appropriate drainage easements to the creek that lies on the adjacent property which would potentially allow for the payment of a fee in lieu of onsite detention.
- 4) The school will teach a 4-year old Pre-K program, a Kindergarten program and a 1st and 2nd grade. The school will seek compliance with the state funded Pre-K program.
- 5) The school will be limited to 50 children and it is anticipated that they will have seven (7) to nine (9) teachers and staff. Any increase in the number of students will be approved via a modification of this stipulation.
- 6) The hours of operation of the school will be Monday through Friday from 7:00 a.m. to 6:00 p.m.
- 7) The Applicant will install curb, gutters and sidewalk along its primary road frontage. For the secondary road frontage, the Applicant will pay a fee in lieu of installing a short section.
- 8) The applicant will work with the Cobb DOT during plan review process to move the entrance as far eastward on the property as practical, including (with the approval of the DOT) varying from the DOT development standards on the proximity of a driveway to an adjacent property line.

SAMS, LARKIN & HUFF A LIMITED LIABILITY PARTNERSHIP

VIA HAND DELVERY

Mr. John P. Pederson, Planner III Cobb County Zoning Department November 27, 2007 Page 3 Petition No. SLUP- 15
Meeting Date /a-18-07
Continued

PAGE ZULZ

9) The applicant shall create at least a 30 foot long landing at its entrance in close proximity to the grade of Macedonia Road to accommodate safe movement in and out of the site.

With the agreed to stipulations, the proposed private school on almost 5 acres will blend in with the surrounding church and large tract residential properties.

Please contact me if you need any additional information regarding this proposal.

Sincerely,

SAMS, LARKIN & HUFF, LLP

Parks F. Huff

phuff@samslarkinhuff.com

PFH/brl

cc: Members, Cobb County Board of Commissioners - VIA Hand Delivery

Members, Cobb County Planning Commission – VIA First Class Mail

Ms. Karen King, Deputy County Clerk - (2 copies) VIA Hand Delivery

Mr. Steve Innes, Cobb County Water System (VIA Email)

Mr. John Morey, Cobb County DOT (VIA Email)

Mr. Dave Breaden, P. E., Cobb County Water System (VIA Email)

Mr. Tim McKay, Cobb County DOT (VIA Email)

Pastor Olajaide Opaleye

Mr. Bisi Oluyemi